

SULLIVAN
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -
UNITED STATES OF AMERICA

- v. -

FRANCISCO HOLGUIN,
a/k/a "Prieto,"

Defendant.

- - - - -
x

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED:

: INFORMATION
.. 07 CRIM 1153

COUNT ONE

The United States Attorney charges:

1. From at least in or about May 2007 up to and including on or about August 15, 2007, in the Southern District of New York and elsewhere, FRANCISCO HOLGUIN, a/k/a "Prieto," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that FRANCISCO HOLGUIN, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A).

OVERT ACTS

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. From at least in or about July 2007 until in or about August 15, 2007, FRANCISCO HOLGUIN, a/k/a "Prieto," the defendant, and his co-conspirators utilized a stash house located at 2100 Anthony Avenue, in the Bronx, New York.

b. On or about August 14, 2007, a co-conspirator not named as a defendant herein traveled to the stash house at 2100 Anthony Avenue, in the Bronx, New York.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

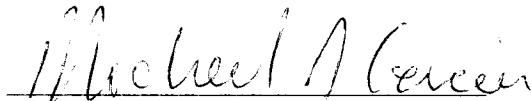
4. As a result of committing the controlled substance offense alleged in Count One of this Information, FRANCISCO HOLGUIN, the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds he obtained directly or indirectly as a result of the violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Information.

5. If any of the above-described forfeitable

property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)


MICHAEL J. GARCIA
United States Attorney

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INFORMATION

07 Cr.

(21 U.S.C. § 846)

Filed Information & Waiver of Indictment.

MICHAEL J. GARCIA

United States Attorney.

12/13/07 Deft. Pres. Wally David Coker. Deft. Pleads
Not guilty ~~Set cont'd. TKE until 1/10/08.~~

St. Mag. Judge Laz